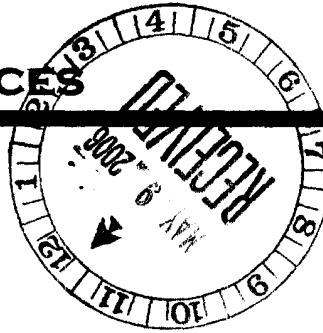


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**Public Use Condition and
Trail Use Request**

May 1, 2006

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Office of Proceedings

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Part of
Public Record

Mr. Vernon A. Williams
Secretary, Surface Transportation Board
1925 K Street, NW
Washington, DC 20423

Re: Union Pacific Abandonment in Lassen County, California, (AB-12 Sub No. 92)

Mr. Williams:

This request is filed on behalf of Lassen County, which is a political subdivision of the State of California interested in transportation and natural resources hereinafter referred to as "proponent."

Proponent requests issuance of a Public Use Condition as well as an Interim Trail Use Condition rather than an outright abandonment authorization between Wendel, CA [milepost 359.50] and Susanville CA, [milepost 382.15].

A. Public Use Condition

Proponent asks the STB to find that this property is suitable for other public use, specifically trail use, and to place the following conditions on the abandonment:

1. An order prohibiting the carrier from disposing of the corridor, other than the tracks, ties and signal equipment, except for public use on reasonable terms. Justification for this condition is: The rail corridor in question is in close proximity to the major population center of the entire County and traverses the developed growth area of the Honey Lake Valley adjacent to Susanville. The corridor will provide direct access to the largest employer in the region, which is within a reasonable distance for a bicycle commute. This corridor has value as a recreational attraction extending the Bizz Johnson Trail with scenic vistas and connection to the Honey Lake Wildlife Refuge. In addition, the rail corridor in question has potential value within the region as a Utility Corridor. The time period sought is 180 days from the effective date of the abandonment authorization. Proponent needs this much time: to assemble title information, complete a trail plan and begin negotiations with the carrier.

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Secretary, Surface Transportation Board
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2. An order barring removal or destruction of potential trail-related structures such as bridges, trestles, culverts and tunnels. The justification for this condition is that these structures have considerable value for recreational trail purposes. The time period requested is 180 days from the effective date of the abandonment authorization for the same reason as indicated above.

B. Interim Trail Use

The railroad right-of-way in this proceeding is suitable for railbanking. In addition to the public use conditions sought above, proponent also makes the following request:

STATEMENT OF WILLINGNESS TO ASSUME FINANCIAL RESPONSIBILITY

In order to establish interim trail use and railbanking under section 8(d) of the National Trails System Act, 16 U.S.C. §1247(d), and 49 CFR §1152.29, Lassen County is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of, and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by and operated by Union Pacific.

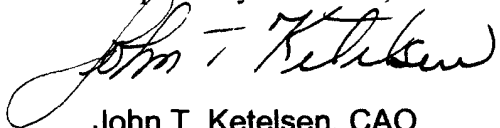
The property, known as the Wendel, CA to Susanville, CA rail line, extends from railroad milepost 359.50 near Wendel, CA to railroad milepost 382.15 near Susanville, CA a distance of 22.65 miles in Lassen County, . The right-of-way is part of a line of railroad proposed for abandonment in STB Docket No. AB- 12 (Sub-No. 92).

A map depicting the right-of-way is attached.

Lassen County acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service.

By my signature below, I certify service upon Union Pacific Railroad, 1400 Douglas St., Mail Stop 1580, Omaha, NE, 68179, by U.S. Mail, postage pre-paid, first class, this 4th day of April, 2006.

Respectfully submitted,



John T. Ketelsen, CAO
on Behalf of: Lassen County

cc: Union Pacific Railroad
Jack Hanson, 5th District Lassen County Supervisor

Wendel to Susanville Rail Line

